



# City of NORFOLK

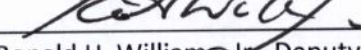
C: Dir., Department of City Planning

To the Honorable Council  
City of Norfolk, Virginia

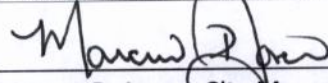
June 9, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Special exceptions for the operation of an entertainment establishment with alcoholic beverages and for a Microbrewery at 760 West 22<sup>nd</sup> Street – Coelacanth Brewing**

Reviewed:   
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved:   
Marcus D. Jones, City Manager

Item Number: **R-3**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Special exceptions:
  - Entertainment establishment with alcoholic beverages
  - Microbrewery
- IV. **Applicants:** Kevin Erskine
- V. **Description:**
  - This request would allow a new business, Coelacanth Brewing, to open a new microbrewery within a currently vacant building.
  - The applicant would also like to operate an entertainment establishment in addition to the microbrewery, serving alcoholic beverages for on and off-premises consumption.
  - The applicant proposes to sell 64 ounce growlers, 32 ounce growlers, 22 and 25 ounce bottles and four and six packs.
  - The site is located in the Ghent neighborhood on 22<sup>nd</sup> Street abutting the Center Shops to the east and south.

	Proposed
Hours of Operation	9:00 a.m. until 7:00 p.m., Monday through Thursday 9:00 a.m. to 11:00 p.m., Friday and Saturday 12:00 noon until 600 p.m., Sunday
Hours for Entertainment and the Sale of Alcoholic Beverages	Closed on Monday 4:00 p.m. until 7:00 p.m., Tuesday through Thursday 3:00 p.m. to 11:00 p.m., Friday

	12:00 noon until 11:00 p.m., Saturday 12:00 noon until 6:00 p.m., Sunday
Capacity	97 seats indoors 16 seats outdoors 115 total capacity
Entertainment	<ul style="list-style-type: none"> <li>• 7 member live band</li> <li>• Comedian</li> <li>• Karaoke</li> <li>• Poetry Reading</li> </ul>

Staff point of contact: Susan Pollock at 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

Attachments:

- Staff Report to CPC dated May 28, 2015 with attachments
- Proponents and Opponents
- Ordinances





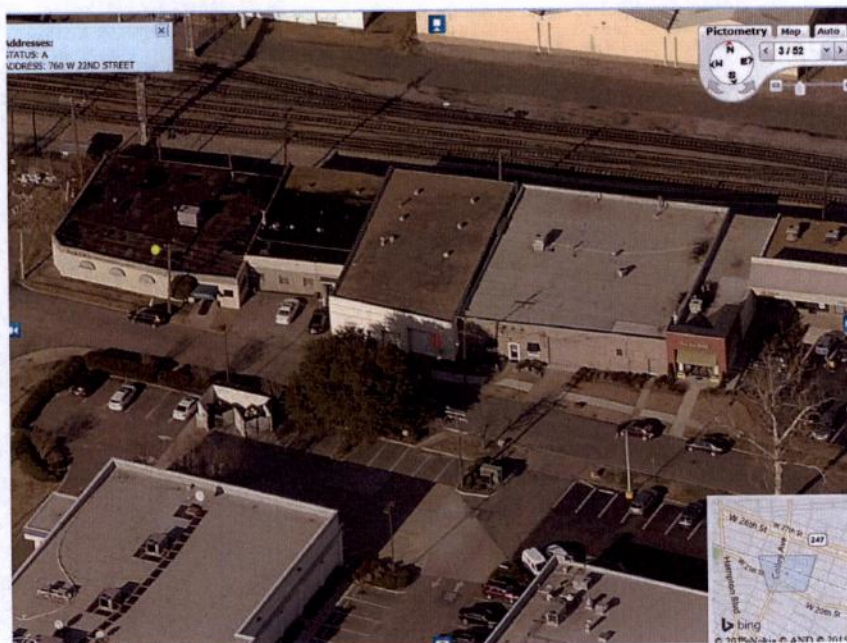
# City of NORFOLK

## Planning Commission Public Hearing: May 28, 2015

Executive Secretary: George M. Homewood, AICP, CFM

Staff: Susan Pollock Hart, CFM

Staff Report	Item No. 8	
Address	760 W. 22 <sup>nd</sup> Street, Suite A	
Applicant	Coelacanth Brewing	
Requests	Special Exceptions	<ul style="list-style-type: none"><li>• Entertainment establishment with alcoholic beverages</li><li>• Microbrewery</li></ul>
Property Owner	Baker Real Properties, Inc.	
Site Characteristics	Site Area	4,570
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	Ghent
	Character District	Traditional
Surrounding Area	North	Norfolk Southern Railway
	East	C-2, Center Shops
	South	C-2, 21 <sup>st</sup> Street PCO (21 <sup>st</sup> Street Pedestrian Commercial Overlay District)
	West	C-2, Rowena's office/warehouse space



### A. Summary of Request

- This request would allow a new business, Coelacanth Brewing, to open a new microbrewery within a currently vacant building.
- The applicant would also like to operate an entertainment establishment in addition to the microbrewery, serving alcoholic beverages for on and off-premises consumption.
- The applicant proposes to sell 64 ounce growlers, 32 ounce crowlers, 22 and 25 ounce bottles and four and six packs.
- The site is located in the Ghent neighborhood on 22<sup>nd</sup> Street abutting the Center Shops to the east and south.

### B. Plan Consistency

The proposed special exceptions are consistent with *plaNorfolk2030*, which designates this site as commercial.

### C. Zoning Analysis

#### i. General

- The uses are permitted in the C-2 district by special exception.

	Proposed
Hours of Operation	9:00 a.m. until 7:00 p.m., Monday through Thursday 9:00 a.m. to 11:00 p.m., Friday and Saturday 12:00 noon until 600 p.m., Sunday
Hours for Entertainment and the Sale of Alcoholic Beverages	Closed on Monday 4:00 p.m. until 7:00 p.m., Tuesday through Thursday 3:00 p.m. to 11:00 p.m., Friday 12:00 noon until 11:00 p.m., Saturday 12:00 noon until 6:00 p.m., Sunday
Capacity	97 seats indoors 16 seats outdoors 115 total capacity
Entertainment	<ul style="list-style-type: none"><li>• 7 member live band</li><li>• Comedian</li><li>• Karaoke</li><li>• Poetry Reading</li></ul>



ii. Parking

- The *Zoning Ordinance* promotes the reuse of existing buildings throughout the City by acknowledging all buildings constructed prior to 1992 as being vested from the basic parking minimum parking requirement of 1 space per 250 square feet.
  - Therefore, this facility (4,570 square feet) is vested for 18 parking spaces.
- The site is located in the Traditional Character District, and a Microbrewery requires 1 space per 300 square feet.
- Although there is no parking provided on the site, no parking is required.

iii. Flood Zone

The property is located in the X Flood Zone, which is a low risk flood zone.

**D. Transportation Impacts**

- Institute of Transportation Engineers (ITE) figures estimate that this use will generate 224 new vehicle trips per day.
- Based upon ITE data, the prior warehouse use on this site would be expected to generate 8 weekday trips while the proposed new brew house would be expected to generate 232 trips on weekdays.
- 21<sup>st</sup> Street near to the site is identified as a severely congested corridor in the PM peak in the current update to regional Hampton Roads Congestion Management analysis.
- The site is near transit service with Hampton Roads Transit bus route 4 (Church Street) operating near to the site.

**E. Impact on the Environment**

- When the outdoor dining is added, landscaping should be included in the design of the enclosure.

**F. Impact on Surrounding Area/Site**

- By requiring this use to conform to the conditions listed below, the proposed entertainment establishment and microbrewery should not have a negative effect on the surrounding neighborhood.
- While parking is not required by the *Zoning Ordinance*, the adjacent property owner has expressed concern that no parking will be provided for this business.

**G. Payment of Taxes**

The owner of the property is current on all real estate taxes.

**H. Civic League**

- The applications were sent to the Ghent Neighborhood League on April 15.
- The applicant met with the Ghent Business Association on May 7.
- Letters of support were received from the Ghent Business Association and the Ghent Neighborhood League.

**I. Communication Outreach/Notification**

- Legal notice was posted on the property on April 21.
- Letters were mailed to all property owners within 300 feet of the property on May 13.
- Legal notification was placed in *The Virginian-Pilot* on May 14 and May 21.

**J. Recommendation**

Staff recommends that the special exception requests be **approved** subject to the conditions shown below:

**Conditions – Entertainment Establishment with alcoholic beverages**

- (a) The hours of operation for the sale of alcoholic beverages and for entertainment shall be closed on Monday, from 4:00 a.m. until 7:00 p.m., Tuesday through Thursday 3:00 p.m. to 11:00 p.m., Friday, 12:00 noon until 11:00 p.m., Saturday and 12:00 noon until 6:00 p.m., Sunday.
- (a) The seating for the establishment shall not exceed 97 seats indoors, 16 seats outdoors, and the total occupant capacity, including employees, shall not exceed 115 people. The use authorized by this special exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.
- (b) No portion of the outdoor dining area shall be enclosed and any covering must leave the dining space open on at least three sides and no portion of the outdoor dining area shall be heated or cooled.
- (c) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (d) A minimum of two (2) bicycle parking spaces shall be provided.
- (e) Entertainment shall be limited to live bands having no more than 7 members, comedian, karaoke, and poetry reading. No other form of entertainment is



permitted.

- (f) There shall be no dancing and no dance floor provided.
- (g) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."
- (h) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (i) The establishment shall maintain a current, active business license at all times while in operation.
- (j) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (k) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (l) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (m) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (n) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (o) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition,

including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.

- (p) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (q) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (r) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (s) The establishment manager shall notify the Commissioner of the Revenue no less than 72 hours prior to the commencement of any event at which a cover charge is to be collected.
- (t) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
  - (1) This special exception;
  - (2) Any ABC license(s);
  - (3) Any occupancy permit(s);
  - (4) Certifications of all persons who work on the premises as a security guard;
  - (5) All fire code certifications, including alarm and sprinkler inspection records;
  - (6) Any health department permit(s);
  - (7) The emergency action plan required under the Fire Prevention Code;



- (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
  - (9) The establishment's designated driver program; and
  - (10) The establishment's Security Plan.
- 
- (u) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 86 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
  - (v) The written security plan submitted to the City as part of the application for this special exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.
  - (w) Landscaping shall be included as a component of the enclosure required for the outdoor seating.
  - (x) This special exception shall automatically expire one year from the effective date of this ordinance. Prior to the expiration date, but no sooner than six months from the effective date of this ordinance, the property owner or manager may begin the application process for a new special exception.

#### **Conditions – Microbrewery**

- (a) The hours of operation for the facility may be from 9:00 a.m. until 7:00 p.m., Monday through Thursday, 9:00 a.m. to 11:00 p.m., Friday and Saturday and 12:00 noon until 6:00 p.m., on Sunday.
- (b) The hours of operation for the sale of alcoholic beverages for on premises may be closed on Monday, from 4:00 p.m. until 7:00 p.m., Tuesday through Thursday 3:00 p.m. to 11:00 p.m., Friday, 12:00 noon until 11:00 p.m., Saturday and 12:00 noon until 6:00 p.m., Sunday.
- (c) The hours of operation for the off-premises sales of alcoholic beverages are from 6:00 a.m. to 12:00 midnight.

- (d) There shall be no entertainment, no dancing, and no dance floor provided, except as may be authorized by a special exception permitting the operation of an entertainment establishment granted to this same operator as holds this special exception.
- (e) This special exception shall terminate in the event of a change in ownership of the facility and may be revoked in the event of a change in the operation of the facility as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the facility shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.
- (f) The seating for the establishment shall not exceed 97 seats indoors, 16 seats outdoors, and the total occupant capacity, including employees, shall not exceed 115 people. The use authorized by this special exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.
- (g) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (h) No alcoholic beverages other than beer, ale, or other fermented malt beverages shall be sold.
- (i) No alcoholic beverage having more than 21% alcohol by volume shall be sold for off-premises consumption.
- (j) No beer shall be sold in any package containing fewer than four (4) bottles or cans with the exception of refillable containers of at least 32 oz. capacity. No wine shall be sold in containers less than 375 ml each.
- (k) The facility shall maintain a current, active business license at all times while in operation.
- (l) The establishment shall remain current on all food and beverages taxes and other local taxes which may become due while it is in operation.



- (m) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (n) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (o) A copy of this Special Exception ordinance and "Exhibit A" shall be available on site at all times for inspection, and a notice indicating that this Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (p) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (q) In addition to the ABC manager or supervisor, the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (r) Landscaping shall be included as a component of the enclosure required for the outdoor seating.

**Attachments:**

Location Map  
Zoning Map  
1000' radii map of similar ABC establishments  
Applications  
Notice to the Ghent Neighborhood League

Letters of support from the Ghent Business Association and the Ghent Neighborhood League.



## **Proponents and Opponents**

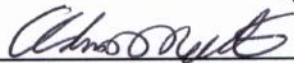
### **Proponents**


Kevin Erskine  
925 12<sup>th</sup> Street  
Virginia Beach, VA 23451

### **Opponents**

None

Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved: 

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF AN ENTERTAINMENT ESTABLISHMENT NAMED "COELACANTH BREWING" ON PROPERTY LOCATED AT 760 WEST 22<sup>ND</sup> STREET, SUITE A.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Coelacanth Brewing Company, LLC authorizing the operation of an entertainment establishment named "Coelacanth Brewing" on property located at 760 West 22<sup>nd</sup> Street, suite A. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 171 feet, more or less, along the northern line of West 22<sup>nd</sup> Street and 69 feet, more or less, along the eastern line of Colley Avenue; premises numbered 760 West 22<sup>nd</sup> Street, suite A.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the establishment shall be limited to 9:00 a.m. until 7:00 p.m. Monday through Thursday, from 9:00 a.m. until 11:00 p.m. on Friday, from 12:00 noon until 11:00 p.m. on Saturday, and from 12:00 noon until 6:00 p.m. on Sunday. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The hours of operation for the sale of alcoholic beverages for on-premises consumption and for entertainment shall be limited to 4:00 p.m. until 7:00 p.m. Monday through Thursday, from 3:00 p.m. until 11:00 p.m. on Friday, from 12:00 noon until 11:00 p.m. on Saturday, and from 12:00 noon until 6:00 p.m. on Sunday.



- (c) The seating for the establishment shall not exceed 74 seats indoors, 16 seats outdoors, and the total occupant capacity, including employees, shall not exceed 115 people. The use authorized by this Special Exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.
- (d) No portion of the outdoor dining area shall be enclosed, heated or cooled, and any covering must leave the dining space open on at least three sides.
- (e) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (f) Bicycle parking shall be provided on the site or within 50 feet of the site in order to accommodate storage of no fewer than two bicycles for public use. Such bicycle parking shall be visible from to the establishment's main entrance.
- (g) Entertainment shall limited to live bands having no more than seven (7) members, karaoke, and poetry reading. No other form of entertainment is permitted.
- (h) There shall be no dancing and no dance floor provided.
- (i) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B".

- (j) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (k) The establishment shall maintain a current, active business license at all times while in operation.
- (l) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (m) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (n) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (o) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (p) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to implementing such change.



Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

- (q) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (r) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (s) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (t) In addition to the ABC manager or supervisor, the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (u) The establishment manager shall notify the Commissioner of the Revenue no less than 72 hours prior to the commencement of any event at which a cover charge is to be collected.
- (v) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For

purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:

- (1) This Special Exception;
  - (2) Any ABC license(s);
  - (3) Any occupancy permit(s);
  - (4) Certifications of all persons who work on the premises as a security guard;
  - (5) All fire code certifications, including alarm and sprinkler inspection records;
  - (6) Any health department permits;
  - (7) The emergency action plan required under the Fire Prevention Code;
  - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
  - (9) The establishment's designated driver program; and
  - (10) The establishment's Security Plan.
- (w) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 179 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshall, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
- (x) The written security plan submitted to the City as



part of the application for this Special Exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

- (y) Landscaping shall be installed as a component of any enclosure that is required for the outdoor seating area.
- (z) This special exception shall automatically expire 18 months from the effective date of this ordinance. Prior to the expiration date, but no sooner than 12 months from the effective date of this ordinance, the property owner or manager may begin the application process for a new special exception.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;

- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (4 pages)

Exhibit B (1 page)





EXHIBIT "A"  
Description of Operations  
Entertainment Establishment  
(Please Print)

Date 4/7/15

Trade name of business COELACANTH BREWING

Address of business 760A W 22ND STREET

Name(s) of business owner(s)\* KEVIN ERSKINE

Name(s) of property owner(s)\* TED BAKER

Name(s) of business manager(s)/operator(s) KEVIN ERSKINE

Daytime telephone number (804) 868-6500

\*If business or property owner is a partnership, all partners must be listed.

\*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility		Alcoholic Beverage Sales and Entertainment	
Weekday	From <u>9 A</u> To <u>7 p</u>	Weekday	From <u>4 p</u> To <u>7 p T, W, Th</u>
Friday	From <u>9 A</u> To <u><del>11</del> p</u>	Friday	From <u>3 p</u> To <u><del>11</del> p</u>
Saturday	From <u>12 p</u> To <u><del>11</del> p</u>	Saturday	From <u>12 p</u> To <u><del>11</del> p</u>
Sunday	From <u>12 p</u> To <u>6 p</u>	Sunday	From <u>12 p</u> To <u>6 p</u>

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises ☒ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:

☒ Beer ☐ Wine ☐ Mixed Beverage

Exhibit A – Page 2  
Entertainment Establishment

4. Will video games, pool tables, game boards or other types of games be provided?  
☐ Yes (If more than 4, additional application required) ☒ No

4a. If yes, please describe type and number of each game to be provided:

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5. Will patrons ever be charged to enter the establishment?  
☒ Yes ☐ No

5a. If yes, why:

FOR SPECIAL EVENTS; NO NORMAL  
CHARGING OF COVER; WE MAY PROVIDE  
TOURS AT NOMINAL  
CHARGE

5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday      Tuesday      Wednesday      Thursday      Friday  
Saturday      Sunday

6. Will the facility or a portion of the facility be available for private parties?  
☒ Yes ☐ No

6a. If yes, explain:

WE WILL EVENTUALLY DESIGNATE  
AN AREA AVAILABLE FOR PRIVATE USE

7. Will a third party (promoter) be permitted to lease, let or use the establishment?  
☐ Yes ☒ No

7a. If yes, explain:

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8. Will there ever be a minimum age limit?  
☐ Yes ☒ No

ONLY FOR ALCOHOL CONSUMPTION.  
AND PERHAPS AFTER CERTAIN HOURS



**Exhibit A – Page 3**  
**Entertainment Establishment**

9. Additional comments/description/operational characteristics or prior experience:

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Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility



**Signature of Applicant**

## Exhibit A – Floor Plan(s) Worksheet Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
  - Tables/seats
  - Restroom facilities
  - Bar
  - Ingress and egress
  - Standing room
  - Disc Jockey/Band/Entertainment area)
  - Outdoor seating
  - Total maximum capacity (including employees)

### 1. Total capacity

#### a. Indoor

Number of seats (not including bar seats)

Number of bar seats

Standing room

70 INDOOR  
4  
23

~~16 OUTDOOR~~

#### b. Outdoor

Number of seats

16

#### c. Number of employees

2

### Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 115

### 2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

WE MAY OCCASSIONALLY HAVE BANDS  
THAT HAVE ~~MORE~~ <sup>UP TO</sup> 7 MEMBERS

### 3. Will a dance floor be provided?

☐ Yes ☒ No

#### 3a. If yes,

Square footage of establishment \_\_\_\_\_

Square footage of dance floor \_\_\_\_\_

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

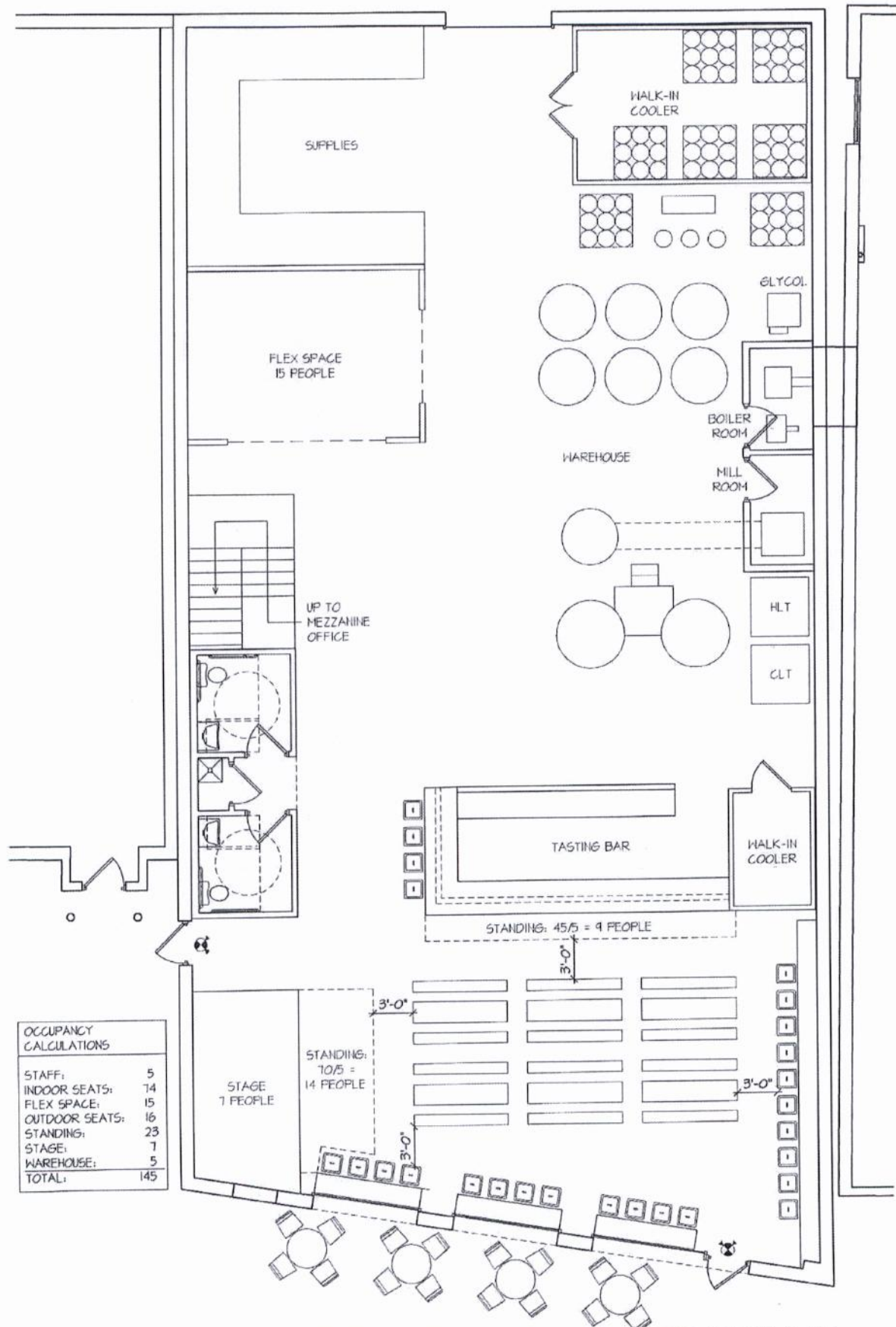
## DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

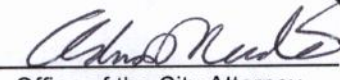
Telephone (757) 664-4752 Fax (757) 441-1569





OCCUPANCY CALCULATIONS	
STAFF:	5
INDOOR SEATS:	74
FLEX SPACE:	15
OUTDOOR SEATS:	16
STANDING:	23
STAGE:	7
WAREHOUSE:	5
TOTAL:	145

Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved: 

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A MICROBREWERY NAMED "COELACANTH BREWING" ON PROPERTY LOCATED AT 760 WEST 22<sup>ND</sup> STREET, SUITE A.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Coelacanth Brewing Company, LLC authorizing the operation of a microbrewery named "Coelacanth Brewing" on property located at 760 West 22<sup>nd</sup> Street, suite A. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 171 feet, more or less, along the northern line of West 22<sup>nd</sup> Street and 69 feet, more or less, along the eastern line of Colley Avenue; premises numbered 760 West 22<sup>nd</sup> Street, suite A.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the establishment shall be limited to 9:00 a.m. until 7:00 p.m. Monday through Thursday, from 9:00 a.m. until 11:00 p.m. on Friday, from 12:00 noon until 11:00 p.m. on Saturday, and from 12:00 noon until 6:00 p.m. on Sunday. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be limited to 4:00 p.m. until 7:00 p.m. Monday through Thursday, from 3:00 p.m. until 11:00 p.m. on Friday, from 12:00 noon until 11:00 p.m. on Saturday, and from 12:00 noon until 6:00 p.m. on Sunday. No sales of alcoholic beverages for off-premises consumption outside of the hours of operation listed herein shall be permitted.



- (c) The seating for the establishment shall not exceed 74 seats indoors, 16 seats outdoors, and the total occupant capacity, including employees, shall not exceed 115 people. The use authorized by this Special Exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.
- (d) There shall be no entertainment, no dancing, and no dance floor provided, except as may be authorized by a special exception permitting the operation of an entertainment establishment granted to the same operator as holds this special exception.
- (e) This special exception shall terminate in the event of a change in ownership of the facility and may be revoked in the event of a change in the operation of the facility as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the facility shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.
- (f) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (g) No alcoholic beverages other than beer, ale, or other fermented malt beverages shall be sold for off-premises consumption.
- (h) The only alcoholic beverages that may be sold for

off-premises consumption are those produced on site.

- (i) No alcoholic beverage having more than 21% alcohol by volume shall be sold for off-premises consumption.
- (j) No beer shall be sold in any package containing fewer than four (4) bottles or cans with the exception of fillable or refillable containers of at least 32 oz. capacity, with the exception of those bottled craft beers which are exclusively produced in bottles greater than 12 ounces but less than 32 ounces in size.
- (k) The facility shall maintain a current, active business license at all times while in operation.
- (l) The establishment shall remain current on all food and beverages taxes and other local taxes which may become due while it is in operation.
- (m) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (n) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (o) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the



establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.

- (p) In addition to the ABC manager or supervisor, the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (q) Landscaping shall be installed as a component of any enclosure that is required for the outdoor seating area.
- (r) A copy of this Special Exception ordinance and "Exhibit A" shall be available on site at all times for inspection, and a notice indicating that this Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to

mitigate potential adverse impacts;

- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 5:- That this ordinance shall be in effect from the date of its adoption.



ATTACHMENT:  
Exhibit A (2 pages)



EXHIBIT "A"  
Description of Operations  
Off-Premises Sale of Alcoholic Beverage

Date of Application: 4/7/15  
Name of business: COELACANTH BREWING  
Address of business: 760 A W. 22ND STREET  
Name(s) of business owner(s)\*: KEVIN ERSKINE  
Name(s) of property owner(s)\*: TED BAKER  
Name(s) of business manager(s)/operator(s): KEVIN ERSKINE  
Daytime telephone number (757): 598-4591

\*If business or property owner is partnership, all partners must be listed.

\*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility	Alcoholic Beverage Sales
Weekday From <u>9 A</u> To <u>7 P</u>	Weekday From <u>4 P</u> To <u>7 P</u>
Friday From <u>9 A</u> To <u>11 P</u>	Friday From <u>3 P</u> To <u>11 P</u>
Saturday From <u>12 P</u> To <u>11 P</u>	Saturday From <u>12 P</u> To <u>11 P</u>
Sunday From <u>12 P</u> To <u>6 P</u>	Sunday From <u>12 P</u> To <u>6 P</u>

2. Type of alcoholic beverage applied for:

☒ Beer    ☐ Wine    ☐ Mixed Beverage

3. Alcoholic beverages to be sold:

☒ Room temperature    ☒ Refrigerated



Exhibit A - Page 2  
ABC-Off

4. As a general rule, the City does not approve selling beer in a single-sized serving container or selling wine in a bottle that is less than 375 milliliters. If you are seeking approval to sell servings that do not meet these criteria, please explain your justification as well as indicate what sizes you would sell:

WE WILL BE FILLING "GROWLERS" IN  
32 + 64 OZ SIZES

WE MAY ALSO  
SELL "CROWLERS"  
IN 32 OZ CANS

Ken [Signature]  
Signature of applicant/owner

WE MAY ALSO  
SELL PRE-FILLED BOTTLES

IN 22 OZ AND OR 750 ml / 25 OZ

EVENUALLY WE MAY SELL CANS AND/OR  
BOTTLES IN 16 OZ AND/OR 12 OZ CAPACITIES  
BUT ONLY IN 4 OR 6 PACK CONFIGURATION

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508  
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)



APPLICATION  
ADULT USE SPECIAL EXCEPTION  
ENTERTAINMENT ESTABLISHMENT  
(Please Print)

Date 4/7/15

**DESCRIPTION OF PROPERTY**

Address 760A W 22ND STREET

Existing Use of Property WAREHOUSE

Proposed Use CRAFT BREWERY

Current Building Square Footage 4570

~~Proposed Building Square Footage~~ 4,570

Trade Name of Business (If applicable) COELACANTH BREWING

**APPLICANT**

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) ERSKINE (First) KEVIN (MI)       

Mailing address of applicant (Street/P.O. Box): 925 12TH STREET

(City) VIRGINIA BEACH (State) VA (Zip Code) 23451

Daytime telephone number of applicant ~~(804)~~ 868-6500 Fax ( )       

E-mail address of applicant: KEVIN@COELACANTH.COM

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569



**Application  
Entertainment Establishment  
Page 2**

**AUTHORIZED AGENT (if applicable)**

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) \_\_\_\_\_ (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): \_\_\_\_\_

(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code) \_\_\_\_\_

Daytime telephone number of applicant ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail address of applicant: \_\_\_\_\_

**PROPERTY OWNER**

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) <sup>Baker real properties  
by president Theodore</sup> BAKER (First) ~~THEODORE~~ (MI) \_\_\_\_\_

Mailing address of property owner (Street/P.O. box): 760 W 22ND ST

(City) NORFOLK (State) VA (Zip Code) 23517

Daytime telephone number of owner (757) 625-2589 Email: TBAKERV@AOL.COM

**CIVIC LEAGUE INFORMATION**

Civic League contact: GBA Ian GNL - Henry Gode.

Date(s) contacted: \_\_\_\_\_

Ward/Super Ward information: \_\_\_\_\_

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

**REQUIRED ATTACHMENTS**

- Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
  - Application fee includes a non-refundable \$5 technology surcharge.
- One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
  - Existing and proposed building structures
  - Driveways
  - Parking
  - Landscaping
  - Property lines (see attached example)
- One 8 ½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.
- One 8½ inch x 11 inch copy of a floor plan prepared by a registered design professional drawn to scale showing restroom facilities, seats/tables, bar, dance floor with dimensions, band area, disc jockey area, standing room and ingress and egress (see attached example).
- Completed Exhibit A, Description of Operations (attached).

**CERTIFICATION**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: \_\_\_\_\_

(Property Owner or Authorized Agent of Signature)

Sign: \_\_\_\_\_

(Date)

Print name: \_\_\_\_\_

(Applicant)

Sign: \_\_\_\_\_

(Date)

**ONLY NEEDED IF APPLICABLE:**

Print name: \_\_\_\_\_

(Authorized Agent Signature)

Sign: \_\_\_\_\_

(Date)

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569



## Exhibit A – Floor Plan(s) Worksheet Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
  - Tables/seats
  - Restroom facilities
  - Bar
  - Ingress and egress
  - Standing room
  - Disc Jockey/Band/Entertainment area)
  - Outdoor seating
  - Total maximum capacity (including employees)

### 1. Total capacity

#### a. Indoor

Number of seats (not including bar seats) 70 INDOOR  
Number of bar seats 4  
Standing room 23

~~16~~ OUTDOOR

#### b. Outdoor

Number of seats 16

#### c. Number of employees

2

### Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 115

### 2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

WE MAY OCCASSIONALLY HAVE BANDS  
THAT HAVE ~~MORE~~ <sup>UP TO</sup> 7 MEMBERS

### 3. Will a dance floor be provided?

☐ Yes ☒ No

#### 3a. If yes,

Square footage of establishment \_\_\_\_\_

Square footage of dance floor \_\_\_\_\_

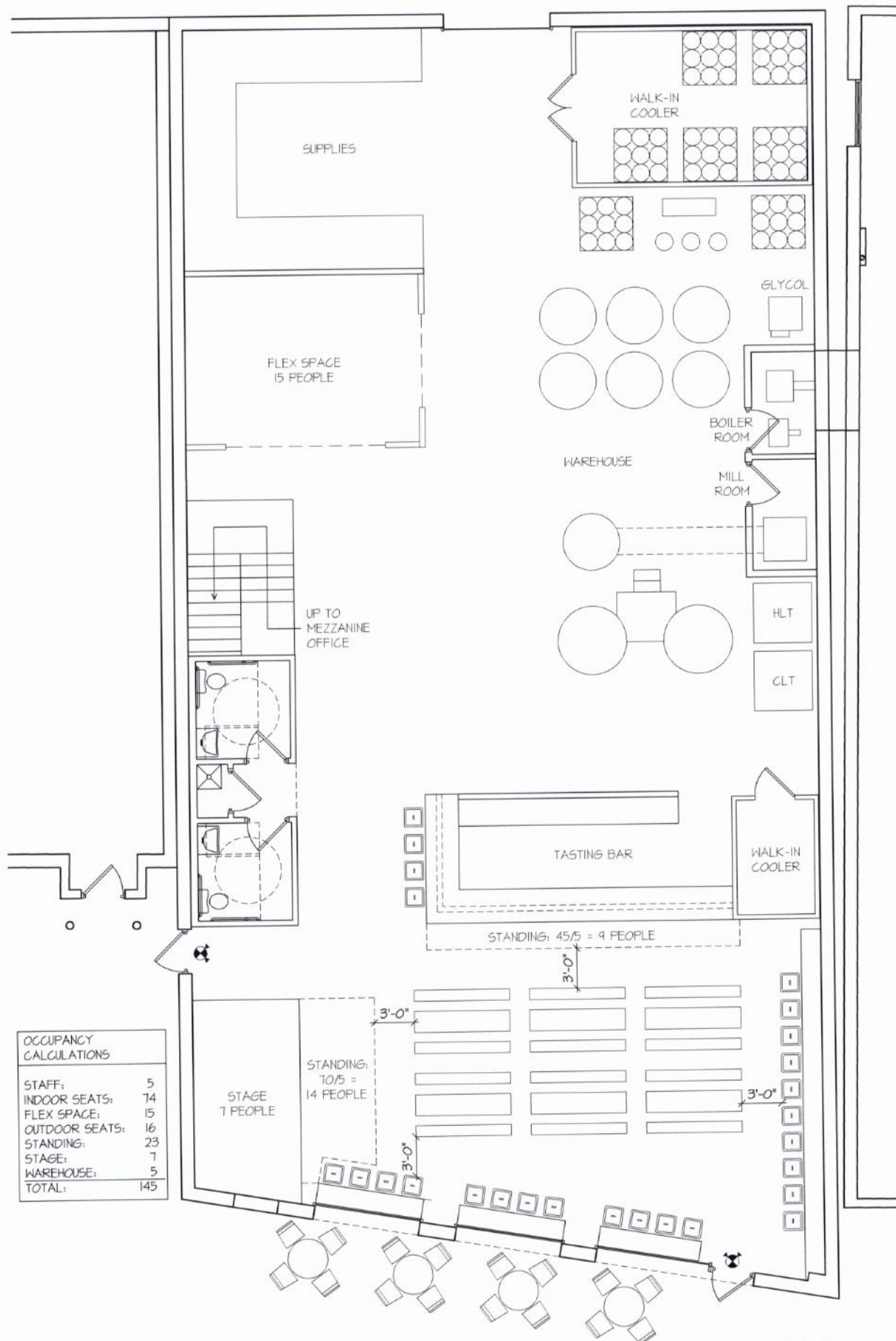
- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

## DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

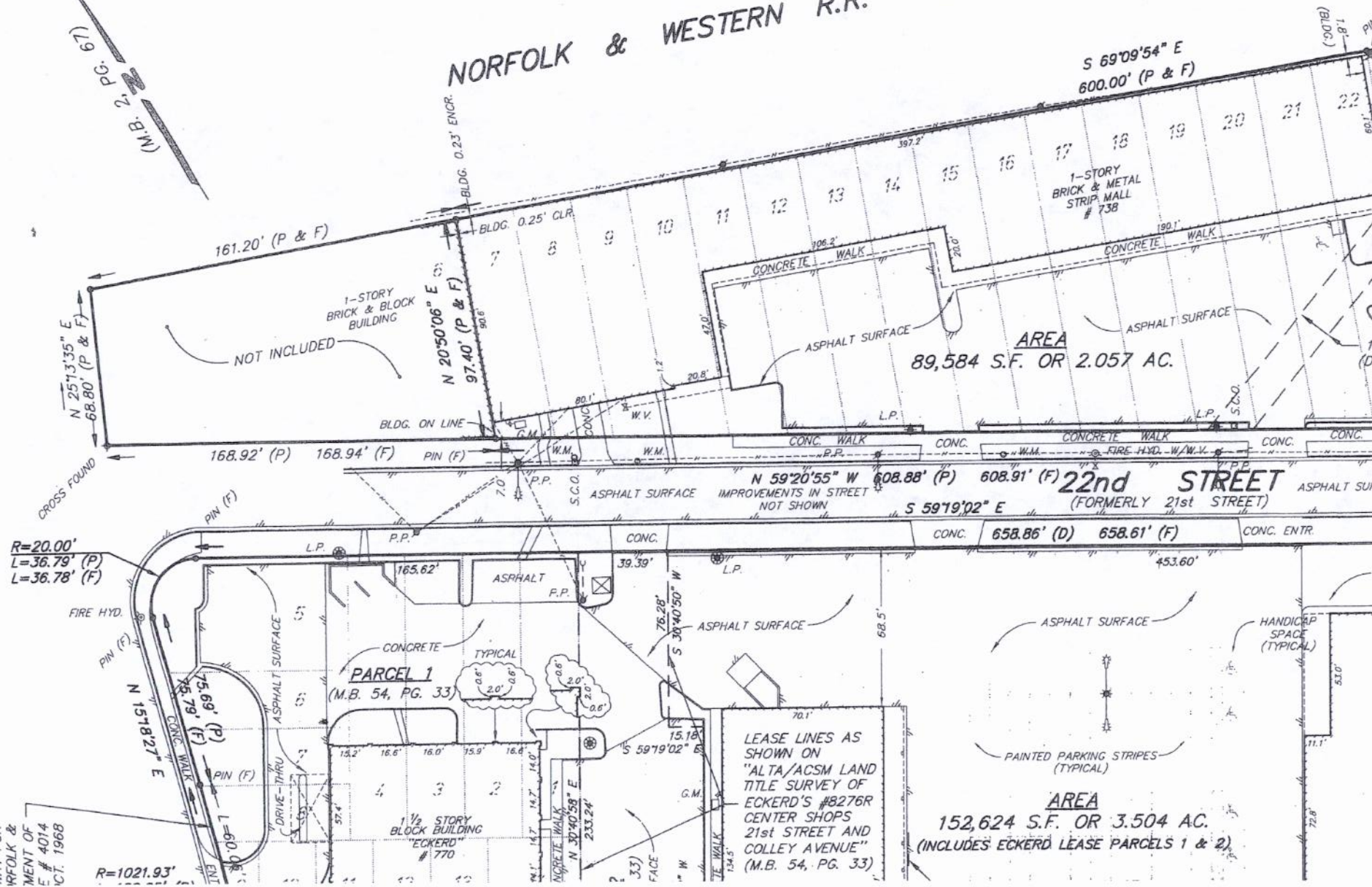
Telephone (757) 664-4752 Fax (757) 441-1569



COELACANTH BREWING COMPANY: 760 W 22ND STREET, NORFOLK, VA  
 3/32" = 1'-0"



# NORFOLK & WESTERN R.R. RIGHT-OF-WAY





**APPLICATION  
SPECIAL EXCEPTION**

Special Exception for: Microbrewery

Date of Application: 4/7/15

**DESCRIPTION OF PROPERTY**

Property location: (Street Number) 760 A (Street Name) WEST 22ND STREET

Existing Use of Property WAREHOUSE

Current Building Square Footage 4,570

Proposed Use CRAFT BREWERY + TASTING ROOM

Proposed Building Square Footage 4,570

Trade Name of Business (If applicable) COELACANTH BREWING

**APPLICANT**

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) ERSKINE (First) KEVIN (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): 925 12 TH ST

(City) VIRGINIA BEACH (State) VA (Zip Code) 23451

Daytime telephone number of applicant (804) 868-6500 Fax ( ) \_\_\_\_\_

E-mail address of applicant: KEVIN @ COELACANTH . COM

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569



Security Plan  
Of  
Coelacanth Brewing Company  
760 A West 22<sup>nd</sup> Street  
Norfolk, VA 23517

**Goals**

- To create a safe and secure environment for patrons of Coelacanth Brewing.
- To provide a level of control and safety for all arriving and departing guests.
- To reduce and eliminate any inappropriate noise or inappropriate conduct by guests – which may impair the enjoyment of other patrons or the patrons of neighboring establishments.
- To peacefully and effectively resolve any situation before escalation. The staff of Coelacanth shall provide an assertive presence by displaying integrity and professionalism while executing their duties and responsibilities.
- To ensure a swift and effective evacuation of the facility in case of fire, explosion or any other uncontrolled dangers.
- To protect and promote the courteous and hospitable character of the neighborhood of Ghent and the City of Norfolk.

**Features of the Plan**

- All staff members will participate in and be required to complete the Cicerone Certified Beer Server program. This program focuses on all aspects of serving craft beer – including handling of customers and how to avoid “over-serving” situations.

- As a Brewery Tasting room, we seek to educate our guests on the nuances of craft beer in general, and our beers in particular. The purpose is not to serve patrons to excess.
- Staff will be taught to identify inebriated patrons and not only "cut-off" consumption, but ensure that they have a safe way to get home.
- Patrons who arrive inebriated will not be served and will be helped to get home.
- For larger events or on any nights that we are open beyond 9 pm, we will have security staff on hand. We hope to utilize off duty police officers as our security during these times.
- This is a smoke free facility. No smoking will be allowed in the facility – or immediately in front of the building. Patrons who violate the non-smoking rules will be asked to leave.
- Uniform. All members of the staff will wear shirts that designate them as staff. Anyone who is specifically performing Security duties will NOT have a distinguishing uniform.
- We are actively seeking relationships with "First Responders" such as Fire Department and Police Department – and hope to have active participation from these groups.
- Staff members will have to be cognizant of the number of patrons in the building to ensure the safety of our patrons and ensure we do not violate capacity codes.

### **General Duties & Responsibilities**

- Respond to and investigate disturbances
- Monitor and authorize entrance and departure of employees, visitors, and other persons to guard against theft and maintain security of premises.
- Call police or fire departments in cases of emergency, such as fire or presence of unauthorized persons.
- Circulate among visitors, patrons, and employees to preserve order and protect property.



### **Electronic Security**

- We will be installing digital security cameras in the facility to monitor activity during and after business hours.
- In the event of a legal issue the recordings/data will be made available to law enforcement upon request in the native format of the security system.
- In addition we will be installing an alarm system with both security and fire capabilities.

### **Electronic Security**

- In the event of an emergency requiring evacuation, we will be able to quickly evacuate our patrons through 2 exit doors or one of 3 front facing "roll-up" doors. In addition we have a roll-up door at the rear of the building, which can also be used to aid in egress.



# THE ROSEMYR CORPORATION

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George M. Harvin  
Managing Director

April 23, 2015

Mr. George Homewood, Director  
Planning and Community Development  
810 Union Street, Room 508  
Norfolk, VA 23510

Re: Request for Special Exception  
760 W. 22<sup>nd</sup> Street, Suite A - Coelacanth Brewing

Dear Mr. Homewood:

The Rosemyr Corporation owns the shopping center (The Center Shops) property adjacent to the proposed Coelacanth Brewing. Rosemyr's tenant, Rite Aid, is the closest parcel and the property likely to be most affected by the customers parking to visit Coelacanth Brewing. While the Coelacanth Brewing special exception applicant states the brewery will limit the hours open to the public for beer tastings, Rosemyr is concerned about the potential conflicts this operation may have on our tenants and their customers. Likely the brewery will attract more people than the limited street parking will allow, pushing the Coelacanth Brewing customers into usurping The Center Shops, and particularly Rite Aid's, parking.

Rosemyr appreciates the plight of any urban business with limited parking, but Rosemyr must uphold its contractual obligation to its Center Shops tenants and maintain the on-site parking for their and their customers' use. Already, Rosemyr must employ security to patrol The Center Shops to ward off parking by non-customers. Rosemyr does not wish to tow vehicles and, therefore, alienate potential customers of The Center Shops.

Rosemyr is very appreciative to the city of Norfolk for working with The Center Shops on parking issues and Rosemyr welcomes Coelacanth Brewing to 22<sup>nd</sup> Street, Norfolk. Does Coelacanth Brewing have a plan to handle this issue?

Thank you in advance for your consideration.

Sincerely,

*George M. Harvin*

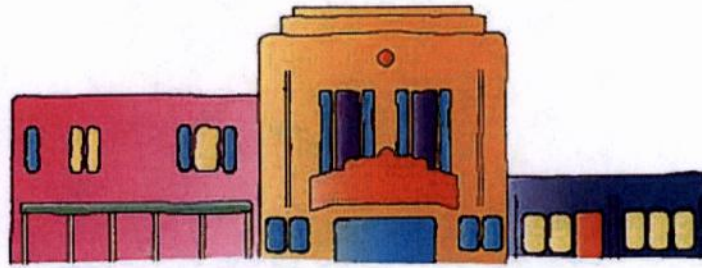
George M. Harvin, (KR)

Cc: Stewart Buckle  
Lenny Newcomb

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**Ghent Business Association**

May 26, 2015

City Council  
City of Norfolk  
City Hall  
Norfolk, VA 23510

To whom it may concern,

The GBA would like to express its support for the request for special exceptions by Coelacanth Brewing. Kevin has come to the area with a great plan and business experience. We also encourage the City to help Kevin make necessary arrangements to alleviate any possible parking pressures on neighboring businesses.

Sincerely,

Ted Enright  
Corresponding Secretary  
Development Committee Chairman  
Ghent Business Association